MINUTE ITEM

This Calendar Item No. 22 was approved as Minute Item No. 22 by the State Lands Commission by a vote of 3 to 2 at its 12/17/81 meeting.

CALENDAR ITEM

22

12/17/81
WP 6002
Reese
PRC 6002

GENERAL LEASE - COMMERCIAL USE

APPLICANT: Thomas P. Raley
1515 - 20th Street
Sacramento, California 95813

AREA, TYPE LAND AND LOCATION:
A 0.990-acre parcel of tide and submerged land in the Sacramento River, West Sacramento, Yolo County.

LAND USE: Commercial facility for loading and unloading passengers from river tour boats.

TERMS OF PROPOSED LEASE:
Initial period: 30 years from December 15, 1981.

Surety bond: $10,000.

Public liability insurance: Combined single limit coverage of $1,000,000.

CONSIDERATION: $3,450 per annum with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2005.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 12/5/82.

A 4

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OTHER PERTINENT INFORMATION:

1. The lessee anticipates using the proposed dock facilities for the loading and unloading of tour boat passengers, under agreements with commercial tour boat owners. The proposed lease provides that the tour boat agreements shall be subject to the approval of the Commission, and that the lessee's rental may be adjusted to a percentage-of-gross basis.

2. This project is exempt from CEQA because it consists of new construction of small structures.

   Authority: Section 15103, 14 Cal. Adm. Code.

3. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes Limited Use.

   Staff has coordinated this project with those agencies and organizations which nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.

APPROVALS OBTAINED:
Yolo County.

FURTHER APPROVALS REQUIRED:
United States Army Corps of Engineers.

EXHIBITS:
A. Land Description.
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.

2. FIND THAT GRANTING OF THE LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.

3. AUTHORIZE ISSUANCE TO THOMAS P. RALEY OF A 30-YEAR GENERAL LEASE - COMMERCIAL USE FROM DECEMBER 15, 1981; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $3,450, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE, PROVISION OF A $10,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $1,000,000; PROVISION FOR THE STATE LANDS COMMISSION TO APPROVE ANY TOUR BOAT AGREEMENTS AND THAT THE LESSEE'S RENTAL MAY BE ADJUSTED TO A PERCENTAGE-OF-GROSS BASIS UPON APPROVAL BY THE STATE LANDS COMMISSION OF SAID AGREEMENTS FOR A COMMERCIAL FACILITY FOR LOADING AND UNLOADING PASSAGERS FROM RIVER TOUR BOATS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION WP 6002

A parcel of tide and submerged land in the Sacramento River lying northerly of the easterly extension of West Capitol Avenue in West Sacramento, Yolo County, California, described as follows:

COMMENCING at the point of intersection of the east line of Second Street and the north line of Lot 9, Block 4 of the Town of Washington, said point shown as being marked by a "Cut Cross in Concrete" on that certain Record of Survey map entitled "Marina Inn and Adjacent Properties Located in the Tower Tract & Town of Washington", recorded in Book 9 of Maps and Surveys at page 94, Records of the County of Yolo, State of California; thence from said point of commencement, southerly along said east line of Second Street, S 08° 31' 00" W 722.35 feet to a point on the south line of Swamp and Overflowed Land Survey No. 962; thence easterly along said south line S 81° 29' 00" E 246.84 feet; thence leaving said south line S 15° 25' 07" W 86.44 feet; thence S 20° 33' 24" W 114 feet and N 74° 34' 53" W 55 feet to the POINT OF BEGINNING; thence the following eight courses:

1. S 74° 34' 53" E 139 feet;
2. N 14° 19' 58" E 324 feet;
3. S 75° 40' 02" E 110 feet;
4. S 19° 49' 01" W 502.31 feet;
5. N 75° 40' 02" W 62 feet;
6. N 14° 19' 58" E 166 feet;
7. N 74° 34' 53" W 139 feet;
8. N 14° 19' 58" E 10 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the Sacramento River.

END OF DESCRIPTION

PREPARED NOVEMBER 12, 1981 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

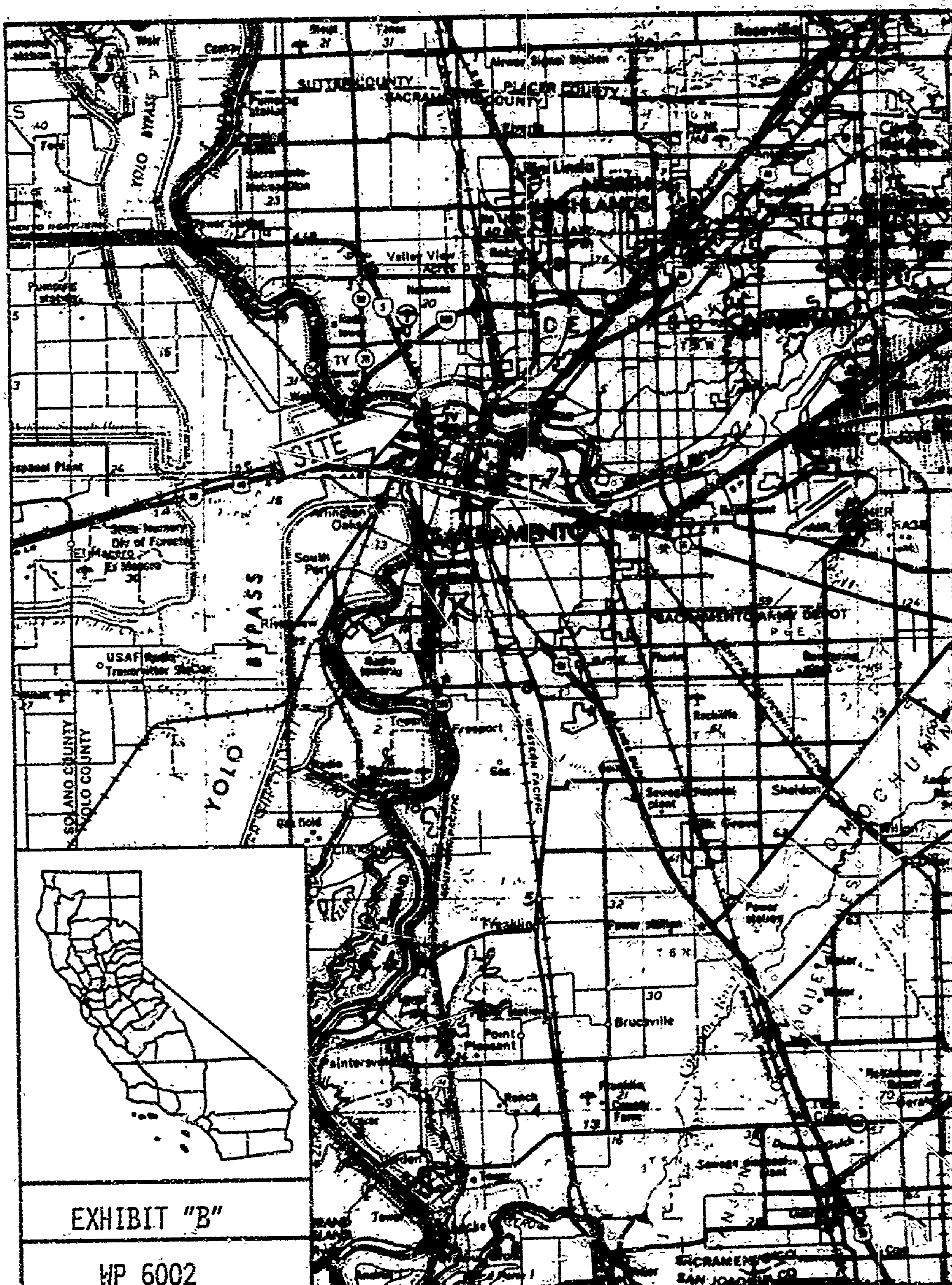

EXHIBIT "B"

WP 6002

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